

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

CHRIS MARTIN,	)	
	)	
Plaintiff,	)	CASE NO. 1:23-cv-02312
v.	)	
	)	
CLEVELAND CITY COUNCIL, <i>et al.</i> ,	)	JUDGE CHARLES ESQUE FLEMING
	)	
Defendants.	)	
	)	
	)	
	)	

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**DEFENDANTS’ NOTICE OF SUPPLEMENTAL AUTHORITY**

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Defendants Cleveland City Council and Council President Blaine Griffin hereby provide notice of supplemental authority, *Lackey v. Stinnie*, 604 U.S. \_\_\_\_ (2025).

Plaintiff Chris Martin moved for attorney’s fees based in part on the Parties’ agreement titled, “Stipulated Temporary Restraining Order.” (*See* ECF Nos. 10, 11). Cleveland argued, among other things, that temporary injunctive relief cannot support attorney’s fees. (Opp., p. 10, ECF No. 22, PageID # 304). Martin countered that this Court may award fees because the temporary relief changed the legal relationship between the parties. (Reply, p. 4, ECF No. 23).

Today, the U.S. Supreme Court resolved whether a plaintiff may receive attorney’s fees when he receives temporary relief:

A plaintiff who wins a transient victory on a preliminary injunction does not become a “prevailing party” simply because external events convert the transient victory into a lasting one. Rather, a plaintiff “prevails” under the statute when a court conclusively resolves a claim by granting enduring judicial relief on the merits that materially alters the legal relationship between the parties.

*Lackey v. Stinnie*, 604 U.S. \_\_\_\_, slip op. p. 9 (2025).

Respectfully submitted,

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### **CERTIFICATE OF SERVICE**

I certify the above was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system.

s/ Matthew R. Aumann  
Matthew R. Aumann (0093612)

*One of the Attorneys Defendants*